

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN

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TRADE WELL INTERNATIONAL,
A Pakistan Corporation,

,

Plaintiff,

Case No. 12-cv-701

v.

UNITED CENTRAL BANK, a
Texas Corporation,

Defendant.

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COMPLAINT

Plaintiff, TRADE WELL INTERNATIONAL, by and through its attorney,
Maurice Salem of Law Offices of Salem & Associates, P.C., hereby set forth its
Complaint as follows:

NATURE OF THE ACTION

1. Plaintiff entered into a lease agreement with Dells Estate LLC, **Exhibit A**, where Plaintiff leased hotel equipment, **Exhibit B**, to operate a hotel in Wisconsin Dells, Wisconsin.

2. The Defendant United Central Bank (“the Bank”) held a mortgage on said hotel and on November 10, 2010, it file a foreclosure action against, *inter alia*, Dells Estate LLC, in Wisconsin state court.

3. On July 31, 2012, the Bank purchased the hotel at a Judicial Sheriff Sale. On that same day the Bank’s president and attorney where both served with a written demand for Plaintiff’s personal property held within the hotel. **Exhibit C**. On August 23, 2012, the purchase of the hotel was approved by the state court.

4. The Bank refused to return the subject property to Plaintiff, despite the demands for the property. Through this action Plaintiff seeks to retrieve its personal property, held by the Bank within the hotel, based on a Replevin cause of action.

JURISDICTION

5. Jurisdiction exists in this Court by reason of diversity of citizenship, 28 U.S.C. § 1332(a)(4). The amount in controversy exceeds \$75,000 exclusive of interests and costs. Plaintiff TRADE WELL INTERNATIONAL is a Pakistan Corporation, with its principle place of business in Pakistan; Defendant United Central Bank is a Texas Corporation with its principal place of business being in Texas. There is complete diversity and the amount in controversy exceeds \$75, exclusive of interest and costs.

STATEMENT OF FACTS

6. On February 22, 2010, Plaintiff entered into a lease agreement with Dells Estate LLC, **Exhibit A**, where Plaintiff leased hotel equipment, **Exhibit B**, to operate a hotel located at: 655 N. Frontage Road, Wisconsin Dells, Wisconsin.

7. The whole sale value of the property shown in **Exhibit B**, is at the very least, One Million Dollars (1,000,000.00), but most probably more than that.

8. The Defendant United Central Bank (“the Bank”) held a mortgage on said hotel and on November 10, 2010, it filed a foreclosure action against, *inter alia*, Dells Estate LLC, in the Circuit Court, Sauk County, Wisconsin, entitled: *United Central Bank v. Dany Investments LLC*, et al., Case No. 10-cv-1239.

9. On July 31, 2012, the Bank purchase the hotel at 655 North Frontage Road, Wisconsin Dells, WI 53965, pursuant to a Judicial Sheriff's Sale held at 515 Oak Street, Baraboo, Wisconsin 53913, at 10:00a.m.

10. Also on July 31, 2012, immediately after the purchase, the Bank's president and attorney where both served with a written demand for Plaintiff's personal property held within the hotel. **Exhibit C**.

11. On August 23, 2012, the purchase of the hotel was approved by the state court.

12. The Bank refused to return the subject property to Plaintiff, despite the demands for the property. This action seeks to retrieve Plaintiff's personal property, which is held by the Bank within the hotel.

CAUSE OF ACTION
(Replevin)

13. Plaintiffs repeat paragraph 1 through 12 as stated herein.

14. Plaintiff is the owner of the subject property described herein in **Exhibit B**.

Exhibit A is a lease agreement where Plaintiff leased said property to Dells Estate LLC.

15. On July 31, 2012, the Bank purchased the hotel at a Judicial Sheriff Sale, where the subject property is located. On that same day, after the purchase, the Bank's president and attorney where both served with a written demand for Plaintiff's personal property held within the hotel. **Exhibit C**.

16. Plaintiff served the Bank's agents, the president and attorney, with a written demand for its property held in said hotel and listed in **Exhibit B**.

17. The Bank's agents refused to return the subject property to Plaintiff, notwithstanding the demand. **Exhibit C**.

RELIEF

18. **WHEREFORE**, Plaintiff respectfully requests the following relief: an order directing the Defendant to turnover the subject property, listed in **Exhibit B**, to Plaintiff, together with such other or further relief that this Court deems just improper.

Dated: September 25, 2012,

Respectfully submitted,

/s/Maurice Salem, Esq.
Attorney for Plaintiff
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ATTORNEY VERIFICATION

I, Maurice Salem, am the Plaintiff's counsel and I hereby verify under the penalties for perjury that the foregoing representations in the above Complaint are true and complete to the best of my knowledge, except as to those matters based on information and belief and as to those matters I believe them to be true.

/s/ Maurice Salem